

## Fishers Island Ferry District

### VOTING RULES

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There are several categories of voting eligibility for the election of the District Commissioner as follows:

1. **Residents.** Fishers Island residents who are registered voters, and qualified to vote for town officers of the Town of Southold at the preceding town election (“Residents”).

*Requirement. Must be registered on latest Town of Southold voting rolls.*

2. **Non-Resident Owners of Real Property.** Non-residents of Fishers Island (“Non Resident[s]”) who are owners (“Owners”) in their individual capacities (“Individual Non-Resident Owners”) of real property on Fishers Island assessed on the last preceding Town Assessment Roll (“Qualified Properties”). Thus, qualified voters will be Individual Non-Resident Owners of Qualified Properties.

*Requirement. Must be listed as individual/sole owner of real property on the most recent records from Town of Southold Tax Assessor.*

3. **Multiple Non-Resident Owners of the Same Real Property.** Where there are multiple Non-Resident owners holding title to the same Qualified Property (whether as tenants in common, joint tenants or otherwise), the “property” shall be entitled to one vote only. Unless special arrangements are made in advance of the election to designate an individual owner entitled to vote (“Special Arrangements,” see below) the District will honor the vote cast by the first owner for that Qualified Property appearing on the most recent records from the town of Southold Tax Assessor. Co-owners (including spouses) who present themselves to vote in respect of that same Qualified Property subsequent to the first voting owner shall not be allowed to vote.

*Requirement. Must be listed as one of multiple owners of real property on the most recent records from the Town of Southold Tax Assessors. If multiple owners wish to designate a specific Non-Resident Owner to vote, then they must make Special Arrangements in advance of the election date as outlined below.*

4. **Ownership by Entity.** Where a Qualified Property is held by a commonly recognized entity such as a corporation, trust, LLC or partnership (“Entity”) the Entity shall be entitled to designate one representative to cast one vote for all Qualified Properties held by such Entity by executing the Affirmation in advance of the election. Each Entity shall be entitled to only one vote through its designated representative.

*Requirement. (i) Entity must be listed as the owner on the most recent records of the Town of Southold Tax Assessor; and (ii) representative must be designated in a written instrument duly*

*adopted by the entity in accordance with the governing documents of said entity, and submitted in accordance with the instructions set forth under Special Arrangements, below.*

5. **Residents Who Also Own a Qualified Property.** Residents who are also owners of one or more Qualified Property[ies] shall be entitled to one vote only, unless they are also voting as a designated representative of an Entity holding title to Qualified Property.
6. **Residents or Non-Residents Who Own Multiple Properties.** Residents or Non-Residents who own multiple properties shall be entitled to one vote only, despite the number of properties owned, unless they are voting once in their individual capacity and another time or times in a representative capacity on behalf of one or more Entities, in accordance with the rules governing voting by entities.
7. **Other Circumstances.** The foregoing rules have been adopted to try to anticipate the largest number of potential voting situations. If an individual presents himself or herself to vote claiming eligibility as a resident, property owner or authorized representative of an entity owning property on Fishers Island and does not fall within one of the categories set forth in paragraphs 1 through 6, the individual shall be permitted to complete a ballot and place it in a sealed envelope marked “challenged”. The election inspectors shall examine the individual’s eligibility to vote and, if the individual is deemed eligible, the envelope will be opened and the vote will be counted. The election inspectors shall make the final determination regarding the individual’s eligibility to vote.

### **Special Arrangements - Instructions.**

Prospective voters will need to make Special Arrangements to designate an individual entitled to vote in the following circumstances:

- (i) **Multiple Owners.** In order for Multiple Non-Resident Owners of the same Qualified Property to designate a specific co-owner as the sole individual entitled to vote on behalf of all co-owners of that Qualified Property; and
- (ii) **Entities.** In order to designate an individual representative entitled to vote for an Entity holding title to one or more Qualified Properties.

Interested parties, Multiple Non-Resident owners of the same Qualified Property, and Entities must submit to the District **prior to the election**, an executed Affirmation with appropriate information completed in full in the spaces provided .

**The District reserves the right to reject the application for Special Arrangements if the information submitted is not timely, accurate or complete.**

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**Fishers Island Ferry District**

**AFFIRMATION**

I, [Insert name of individual]

\_\_\_\_\_.

do hereby affirm under penalty of perjury that:

I am a [insert title, for example trustee, partner, manager, corporate officer, etc.]

\_\_\_\_\_

of the [insert name of entity] \_\_\_\_\_

which has been duly formed as a [insert type of entity, for example, partnership, limited liability company, corporation, etc.]

\_\_\_\_\_

pursuant to the laws of the state of [insert name of the state where the entity was formed] \_\_\_\_\_

(hereinafter called the "Entity").

2. The Entity owns real property located on Fishers Island, Town of Southold, Suffolk County, New York identified on the last preceding Town tax assessment rolls as [insert tax lot number]\_\_\_\_\_.

3. I have been duly authorized by all actions required by applicable law and the governance instruments of the Entity to cast a vote on behalf of the Entity in the election of Commissioners of the Fishers Island Ferry District on August \_\_\_, 20\_\_.

4. Attached hereto is a complete and correct list of the individuals who own beneficially, directly or indirectly, all of the equity interests in the Entity, specifying the percentage of such equity interests owned by each.

5. I understand that, in the event that more than one individual attempts to cast a vote on behalf of the Entity in the election of Commissioners of the Fishers

Island Ferry District on August \_\_\_, 20\_\_\_, I will be required to provide documentary evidence to prove that I am the properly authorized voting representative for the Entity.

Such documentary evidence may include, but is not limited to, a copy of the corporate resolution authorizing me to vote on behalf of the Entity together with a notarized copy of a Secretary's Certificate certifying the date and adoption of such resolution; a notarized copy of the Designated Voting Representative document executed by the Managing Partner or Managing Member; or a notarized copy of a Designation of Voter document executed by all co-trustees.

In the event that more than one individual attempts to vote on behalf of the Entity and I am not able to provide documentary evidence that I am the authorized voting representative for the Entity, my vote on behalf of the Entity shall not be counted.

In the event that more than one individual provides documentary evidence that he/she is the authorized voting representative for the Entity, the election officials will be rendered unable to determine which individual is duly authorized to vote on behalf of the Entity, and none of the votes on behalf of the Entity shall be counted.

6. I make this affirmation knowing that that the Fishers Island Ferry District will rely on the truthfulness hereof in permitting me to cast a vote on behalf of the Entity in such election.

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[Signature of Representative]